

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner

Joseph M. Pelham

Art Unit

3742

Applicant

Rick A. Barker

Serial No.

10/698,922

Filing Date

October 31, 2003

Confirmation:

2999

Atty. Dkt. No.:

BAR18 P-300

For

HEATED MERCHANDISER FOR BREAD AND THE LIKE

Mail Stop Express Abandonment Commissioner for Patents PO Box 1450 Alexandria, VA 22313-1450

Dear Sir:

CERTIFICATE OF MAILING

I hereby certify that the following papers:

- 1) Express Abandonment Under 37 CFR 1.138 (1 pg.); and
- 2) Return Receipt Postcard.

are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, Virginia 22313-1450, on

11/28/06

Carl S. Clark

CSC/jkrp Enclosures

PTO/SB/24 (09-06) Approved for use through 03/31/2007, OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Filing Date **EXPRESS ABANDONMENT UNDER**

perwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number. **Application Number** 10/698,922 10/31/2003 First Named Inventor <u>Rick A. Barker</u> Art Unit 3742 **Examiner Name** <u>Joseph Pelham</u> Attorney Docket Number BAR18 P300

Fax directly to the Pre-Grant Publication Division at (703) 305-8568; or mail to: Mail Stop Express Abandonment Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

more than one signature is required, see below.

forms are submitted.

X Total of

37 CFR 1.138

Please check only one of boxes 1 or 2 below: (If no box is checked, this paper will be treated as a request for express abandonment as if box 1 is checked.) X Express Abandonment I request that the above-identified application be expressly abandoned as of the filing date of this paper. **Express Abandonment in Favor of a Continuing Application** I request that the above-identified application be expressly abandoned as of the filing date accorded the continuing application filed previously or herewith. NOTE: A paper requesting express abandonment of an application is not effective unless and until an appropriate USPTO official recognizes and acts on the paper. See the Manual of Patent Examining Procedure (MPEP), section 711.01. TO AVOID PUBLICATION, USE FORM PTO/SB/24A INSTEAD OF THIS FORM. TO REQUEST A REFUND OF SEARCH FEE AND EXCESS CLAIMS FEE (IF ELIGIBLE), USE FORM PTO/SB/24B INSTEAD OF THIS FORM. I am the: applicant. assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96) attorney or agent of record. Attorney or agent registration number is 28 288 attorney or agent acting under 37 CFR 1.34, who is authorized under 37 CFR 1.138(b) because the application is expressly abandoned in favor of a continuing application (box 2 above must be checked). Attorney or agent registration number <u>616/949-9610</u> Typed or printed name Telephone Number Note: Signature of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if

This collection of information is required by 37 CFR 1.138. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process an application). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Express Abandonment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.